

1 Again let me state that the purpose of this amendment is  
2 not to deny a jury trial to anyone, except in those cases  
3 where our Court of Appeals has suggested that a jury trial  
4 is not appropriate. The Court of Appeals has called these  
5 cases petty offenses, and we took the words from the opinions  
6 of the Court of Appeals that I cited to you earlier.

7 The same phrase is used by the Supreme Court of the United  
8 States in the quotation which I said, and I will read it  
9 again, just so that everybody can have it in their minds.

10 "It is settled by the decision of this court," meaning the  
11 Supreme Court, "that the right of trial by jury does not  
12 extend to every criminal proceeding. At the time of the  
13 adoption of the Constitution," meaning, of course, the Con-  
14 stitution of the United States, "there were numerous offen-  
15 ses commonly defined as 'petty' which were tried summarily  
16 without a jury."

17 Now, all I am saying is that I think this is a  
18 valuable principle that ought to be continued in our law,  
19 and it is my understanding that the committee in no way  
20 intended to eliminate that principle from the Constitution  
21 when it drafted the words that are before you.